

**A SUBSTITUTE ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND TO PURCHASE ONE APPROXIMATELY 0.31 ACRE PARCEL OF PROPERTY LOCATED AT 3392 DELMAR LANE FROM MARIO BLACKMON ("THE BLACKMON PROPERTY"), FOR THE PURPOSE OF EXPANDING THE EXISTING OLD ADAMSVILLE PARK ("PARK"), IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00). THE CITY'S PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE DEMOLITION AND DEVELOPMENT COSTS SHALL BE PAID FROM IMPACT FEE WEST 14201997 (PROJECT), 102 (TASK), 350291107 (AWARD), 5411001 (EXPENSE TYPE LAND), ORGANIZATION CITY OF ATLANTA AND AMENDING THE 2008 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00); AND FOR OTHER PURPOSES.**

**WHEREAS**, the old Adamsville Park is an existing neighborhood park located at the corner of Delmar Lane and Brownlee Road, Atlanta, Georgia; and

**WHEREAS**, the Department of Parks, Recreation and Cultural Affairs plans to renovate the facility for use as an emergency center; and

**WHEREAS**, the proposed acquisition of the Blackmon Property will create a green-space buffer between the existing park facility and the neighborhood; and

**WHEREAS**, the City desires to acquire the Blackmon Property located at 3392 Delmar Land, Parcel ID 14-0243-0006-002, from Mario Blackmon to expand the City's existing old Adamsville Park (See attached Exhibit "A"); and

**WHEREAS**, purchasing the Blackmon Property is consistent with the City's goals of greenspace acquisition, preservation and park expansion.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

**SECTION 1:** The Chief Procurement Officer or his designee, on behalf of the City, is hereby authorized to negotiate with Mario Blackmon to purchase the real property located at 3392 Delmar Lane, Parcel Identification Number 14-0243-0006-002 ("the Blackmon Property"), at a purchase price no greater than Fair Market Value.

**SECTION 2:** The Chief Procurement Officer or his designee is hereby authorized to obtain or review surveys, title reports, environmental assessments, and appraisals to establish the Fair Market Value of the Blackmon Property. In addition, the Chief Procurement Officer or his designee is authorized to obtain and pay for those items and services necessary to purchase the Blackmon Property, including but not limited to title insurance, real estate service fees, demolition, site development, signage, fencing, closing costs and other costs of acquisition ("The City's Due Diligence and Purchase Services").

**SECTION 3:** The 2008 General Government Capital Outlay Fund Budget, Department of Planning and Community Development is hereby amended as follows:

#### **TRANSFER FROM APPROPRIATIONS**

\$160,000.00 from 3502 (General Government Capital Fund) 100101 (DOF Chief Financial Officer) 5999901 (Reserve Conversion Account – Class 1) 1320000 (Chief Executive) 201072 (Admin. Development Recoupment Fees) 91110 (Funding Source SWMA Loan 9991)

Project: 10201072  
Task: 101  
Award: 350291110  
Expense: 5999901 RESERVE  
Org City of Atlanta

**TOTAL** **\$160,000.00**

#### **TRANSFER TO APPROPRIATIONS**

\$160,000.00 to 3502 (General Governmental Capital Fund) 140106 (PRC Parks Design) 5411001 (Land) 6220000 (Parks Areas) 201997 (Green Space Program, Parks West ) 91107 (Funding Source SWMA Loan 9991)

Project: 14201997  
Task: 102  
Award: 350291107  
Expense: 5411001 LAND  
Org City of Atlanta

**TOTAL**

**\$160,000.00**

**SECTION 4:** The City's Due Diligence and Purchase Services, in an amount not to exceed one hundred sixty thousand dollars (\$160,000.00) shall be paid from Impact Fee West 14201997 (Project), 102 (Task), 350291107 (Award), 5411001 (Expense Type Land).

**SECTION 5:** Upon acquisition, the Department of Parks, Recreation, and Cultural Affairs, Office of Parks, is hereby charged with all responsibility for the Blackmon Property and shall retain the land in perpetuity as a public park. Nothing in this section shall preclude a neighborhood group(s) or other private entity from maintaining all or part of the property pursuant to an agreement with the City.

**SECTION 6:** The City's Greenspace Acquisition Consultant, ("the Consultant") is authorized to settle the acquisition of the Blackmon Property at an amount authorized by the Chief Procurement Officer. The Consultant may also arrange and negotiate for the Due Diligence and Purchase Services.

**SECTION 7:** The requirements of the City Code Section 2-1541 (d), of the Procurement and Real Estate Code, are waived to allow the purchase of the Blackmon Property on behalf of the City without further authorization by the City Council.

**SECTION 8:** The Mayor, on behalf of the City, is authorized to execute any and all deeds, instruments or other documents that the Law Department deems to be necessary or advisable in order to carry into effect the intent of this ordinance.

**SECTION 9:** The City Attorney is hereby directed to prepare for execution by the Mayor, any and all deeds, instruments, or other documents that the City Attorney deems necessary or advisable to carry into effect the intent of this ordinance.

**SECTION 10:** Said deeds, instruments, or other documents shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been approved by the City Attorney as to form, attested to by the Municipal Clerk, and signed by the Mayor.

**SECTION 11:** All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

**AN ORDINANCE BY  
COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE**

AN ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE ONE APPROXIMATELY 0.31 ACRE PARCEL OF PROPERTY LOCATED AT 3392 DELMAR LANE FROM MARIO BLACKMON ("THE BLACKMON PROPERTY"), FOR THE PURPOSE OF EXPANDING THE EXISTING OLD ADAMSVILLE PARK ("PARK"), IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00). THE CITY'S PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE, DEMOLITION AND DEVELOPMENT COSTS SHALL BE PAID FROM IMPACT FEE WEST 14201997 (PROJECT), 102 (TASK), 350291107 (AWARD), 5411001 (EXPENSE TYPE LAND), ORGANIZATION CITY OF ATLANTA AND AMENDING THE 2008 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00); AND FOR OTHER PURPOSES.

**WHEREAS**, the old Adamsville Park is an existing neighborhood park located at the corner of Delmar Lane and Brownlee Road, Atlanta, Georgia; and

**WHEREAS**, the Department of Parks, Recreation and Cultural Affairs plans to renovate the facility for use as an emergency center; and

**WHEREAS**, the proposed acquisition of the Blackmon Property will create a greenspace buffer between the existing park facility and the neighborhood; and

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insurance, real estate service fees, demolition, site development, signage, fencing, closing costs and other costs of acquisition (“The City’s Due Diligence and Purchase Services”).

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Project: 10201072  
Task: 101  
Award: 350291110  
Expense: 5999901 RESERVE  
Org City of Atlanta

**TOTAL** **\$160,000.00**

**TRANSFER TO APPROPRIATIONS**

\$160,000.00 to 3502 ( General Governmental Capital Fund ) 140106 ( PRC Parks Design) 5411001 ( Land) 6220000 ( Parks Areas ) 201997 ( Green Space Program, Parks West ) 91107 (Funding Source SWMA Loan 9991 )

Project: 14201997  
Task: 102  
Award: 350291107  
Expense: 5411001 LAND  
Org City of Atlanta

**TOTAL** **\$160,000.00**

**SECTION 4:** The City’s Due Diligence and Purchase Services, in an amount not to exceed one hundred sixty thousand dollars (\$160,000.00) shall be paid from Impact Fee West 14201997 (Project), 102 (Task), 350291107 (Award), 5411001 (Expense Type Land).

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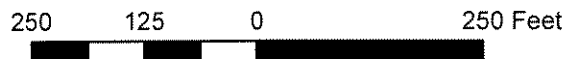
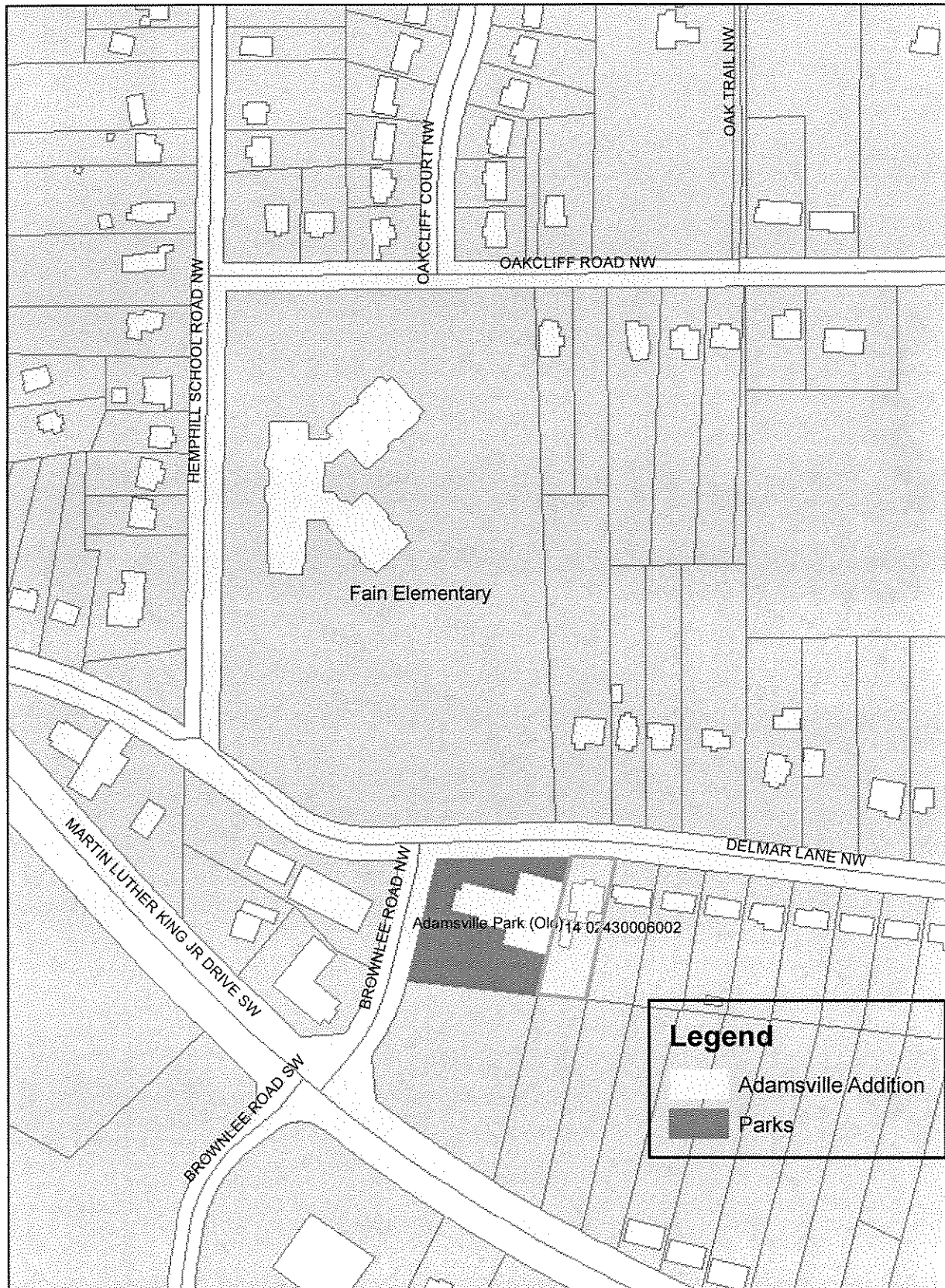
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**SECTION 11:** All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.



**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview: Community Development/Human Resources Committee**

**Caption:** AN ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE ONE APPROXIMATELY 0.31 ACRE PARCEL OF PROPERTY LOCATED AT 3392 DELMAR LANE FROM MARIO BLACKMON ("THE BLACKMON PROPERTY"), FOR THE PURPOSE OF EXPANDING THE EXISTING OLD ADAMSVILLE PARK ("PARK"), IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00). THE CITY'S PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE, DEMOLITION AND DEVELOPMENT COSTS SHALL BE PAID FROM IMPACT FEE WEST 14201997 (PROJECT), 102 (TASK), 350291107 (AWARD), 5411001 (EXPENSE TYPE LAND), ORGANIZATION CITY OF ATLANTA AND AMENDING THE 2008 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00); AND FOR OTHER PURPOSES.

**Council Meeting Date:** 07/15/08

**Requesting Dept.:** DPRCA

**FAC Confirmed by:**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation.**

The purpose of this legislative request is to have an authorizing Ordinance for the acquisition and development of approximately 0.31 acres of property located at 3392 Delmar Lane ("The Mario Blackmon Property") which will provide expansion of the existing old Adamsville Park.

**2. Please provide background information regarding this legislation.**

Mr. Mario Blackmon has offered for sale approximately 0.31 acres of property located at 3392 Delmar Lane for the purpose of expanding the existing old Adamsville Park. Mr. Blackmon has agreed to sell the property to the City for an amount not to exceed Fair Market Value. The Department of Parks, Recreation and Cultural Affairs plans to renovate the old Adamsville facility for use as an emergency center. Purchasing the Mario Blackmon Property is consistent with the City's goal of greenspace acquisition, preservation and park expansion.



**3. If Applicable/Known:**

- (a) Contract Type-
- (b) Source Selection:
- (c) Bids/Proposals Due:
- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

**4. Account Segment :**

**5. Source of Funds:** PARK IMPACT FEE WEST 14201997 (PROJECT), 102 (TASK), 350291107 (AWARD), 5411001 (EXPENSE TYPE LAND), ORGANIZATION CITY OF ATLANTA

**6. Fiscal Impact:**

This legislation will result in a reduction in an amount not to exceed \$160,000.00 to the Source of Funds identified above in item 5.

**7. Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:** Ellen Wickersham, Senior Acquisition Manager, Parks and Greenspace and Debra F. Harris, M.A., DPRCA Departmental Contracting Officer/Legislative Liaison.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Debra Harris \_\_\_\_\_

Contact Number: 404-817-6795 \_\_\_\_\_

Originating Department: DPRCA \_\_\_\_\_

Committee(s) of Purview: DPRCA \_\_\_\_\_

Chief of Staff Deadline: July 02, 2008 \_\_\_\_\_

Anticipated Committee Meeting Date(s): July 15-16, 2008 \_\_\_\_\_

Anticipated Full Council Date: July 21, 2008 \_\_\_\_\_

Legislative Counsel's Signature:  \_\_\_\_\_

Commissioner Signature:  \_\_\_\_\_

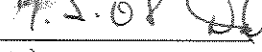
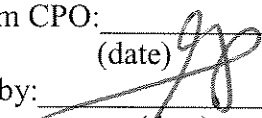
Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION** AN ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO NEGOTIATE FOR AND PURCHASE ONE APPROXIMATELY 0.31 ACRE PARCEL OF PROPERTY LOCATED AT 3392 DELMAR LANE FROM MARIO BLACKMON ("THE BLACKMON PROPERTY"), FOR THE PURPOSE OF EXPANDING THE EXISTING OLD ADAMSVILLE PARK ("PARK"), IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00). THE CITY'S PURCHASE PRICE, CLOSING COSTS, DUE DILIGENCE, DEMOLITION AND DEVELOPMENT COSTS SHALL BE PAID FROM IMPACT FEE WEST 14201997 (PROJECT), 102 (TASK), 350291107 (AWARD), 5411001 (EXPENSE TYPE LAND), ORGANIZATION CITY OF ATLANTA AND AMENDING THE 2008 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT BY TRANSFERRING BETWEEN ACCOUNTS THE SUM OF ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00); AND FOR OTHER PURPOSES.

**FINANCIAL IMPACT (if any):** \$160,000.00

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) (date)

Received by Mayor's Office: 7.2.08  Reviewed by:   
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)

RCS# 2239  
7/21/08  
3:41 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II